

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Joseph A. Vaudo
SSN: xxx-xx-8895

Debtor

Chapter 13
Case No.19-13881-FJB

TRUSTEE’S OBJECTION TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN

Now comes Carolyn Bankowski, Standing Chapter 13 Trustee (“Trustee”), and respectfully objects to confirmation of the Debtor’s Chapter 13 Plan, (the “Plan”), and for reasons says as follows:

1. The Debtor’s filed a Chapter 13 petition was on November 12, 2019. On December 13, 2019, the Trustee convened and presided at a Section 341 meeting of creditors. The Plan was filed on December 9, 2019.
2. The Trustee cannot recommend the Plan for confirmation.
3. Part 3.A(2) states that the Debtor intends to treat the secured claim of Eastern Bank, and states that this is an “Automobile Installment Loan”, but states the Collateral is the Debtor’s business. The trustee asserts the claim is misclassified and confusing.
4. The Debtor s lists his business Mr. Vaudos Fish Market, Inc. in his Schedules and on his Liquidation Analysis as having a value of \$61,550.00. The Debtor testified at the Section 341 Meeting of Creditors that the business is worth over \$900,000.00 with the liens against in the sum of \$650,000.00. The Trustee asserts that if the correct value of the interest in the business were listed, there would be additional monies for creditors in the Liquidation Analysis. The plan proposes to pay a “pot” of \$2,430.00 to the general unsecured claims totaling \$391,134.68.
5. The Debtors’ proposed plan cannot be confirmed, as the Plan does not meet the best interest of creditors test of 11 U.S.C. §1325 (a)(4).

WHEREFORE, the Trustee requests that the Court sustain the objection to confirmation and for such other relief as is proper.

Dated: December 17, 2019

Respectfully submitted,
Carolyn A. Bankowski
Standing Chapter 13 Trustee
/s/ Carolyn A. Bankowski
Carolyn A. Bankowski BBO# 631056
Patricia A. Remer BBO# 639594
Office of the Chapter 13 Trustee
P.O. Box 8250
Boston, MA 02114
(617) 723-1313
13trustee@ch13boston.com

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Certificate of Service

The undersigned hereby certifies that on the date below a copy of the Trustee's Objection to Debtor's Chapter 13 Plan was served via first class mail, postage prepaid on the Debtors and Debtors' counsel at the addresses set forth below or by electronic notice.

Date: December 17, 2019

/s/ Carolyn A. Bankowski
Carolyn A. Bankowski

Joseph A. Vaudo
P.O. Box 248
Sandwich, MA 02563

Peter M. Daigle, Esq.
The Law Office of Peter M. Daigle, P. C.
1550 Falmouth Road
Suite 10
Centerville, MA 02632